

Notice of Allowability

Application No.

10/607,075

Examiner

Abolfazl Tabatabai

Applicant(s)

TAKHIRI ET AL.

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on March 14, 2005.
2. ☒ The allowed claim(s) is/are 1-21.
3. ☒ The drawings filed on 14 March 2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892) ✓
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 3/14/05 ✓
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment ✓
8. ☒ Examiner's Statement of Reasons for Allowance ✓
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Applicant's Attorney (Mr. Jay Lessler with Reg. No 41,151), on Monday May 9, 2005, without traverse.
3. The application has been amended as follows:
4. In specification, page 1, before line 1, of first paragraph, insert--- FIELD OF THE INVENTION---.
5. In specification, page 1, after line 5, of first paragraph, insert--- BACKGROUND OF THE INVENTION ---.
- 6 In specification, page 3, after line 26, insert--- SUMMARY OF THE INVENTION - --.

Reasons for Allowance

7. Applicant's amendment/argument (pages 2-7), filed on March 14, 2005, has been fully considered and are persuasive. As a result the art rejection of claim 9 have been withdrawn. Therefore, claims 1-21 are allowable.
8. The following is an Examiner's statement of reasons for allowance.
The prior art of record fails to teach or suggest, personal identification method, electronic identification system and apparatus for personal biometrical identification by

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gauging geometry of the person's hand comprising comparing the analyzed identification code to a reference identification code extracted from the user database of the second identification device; transmitting a permissive access signal to an execution device when the result of the step of comparing the analyzed identification code to a reference identification code is positive in combination into other features and elements of claims 1, 7 and 16; (b) a photo-cell with a memory unit that scans the user's hand only when living matter is identified on the identification surface in combination into other features and elements of claims 8 and 9; (c) forming a set of geometry parameters corresponding to characteristics of the hand, converting the set of geometry parameters into an analyzed identification code in combination into other features and elements of claim 12.

9. Claims 1-21 are allowed.

10. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Citation of Relevant Prior Art

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Faulkner (U S 5,483,601) discloses apparatus and method for biometric identification using silhouette and displacement images of portion of a person's hand.

Neukermans et al (U S 6,122,394) disclose compact, simple, 2D raster, image-

building fingerprint scanner.

Rowe et al (U S 6,560,352 B2) disclose apparatus and method of biometric identification or verification of individuals using optical spectroscopy.

Rompel et al (U S 6,552,781 B1) disclose device for counting and/or sorting coins.

Roustaei et al (U S 5,786,582) disclose optical scanner for reading and decoding one and two-dimensional symbologies at variable depths of field.

Contact Information

12. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to ABOLFAZL TABATABAI whose telephone number is (571) 272-7458.

The Examiner can normally be reached on Monday through Friday from 9:30 a.m. to 7:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Mehta Bhavesh M, can be reached at (571) 272-7453. The fax phone number for organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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May 10, 2005

A-Tabatabaeh


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PRIMARY EXAMINER